

Draft of Minutes of the Organizational Committee/Citizens Input Committee Meeting of May 22, 2008

The 12th meeting of the OC/CIC was opened at 7pm by vice Chairman Gary Wolfe with prayer led by Tom Carrow followed by the pledge to the American Flag. Chairman Dave White then took the reins and asked for the secretary's report to be read.

The report was read and amended to reflect a correction by Mary Harsh of the statement she had made regarding A-2 land. That the A-2 land should continue as an agricultural entity and not be developed. This being the only correction or addition, Mike Kohlsdorf moved that the minutes now be accepted, seconded by Scott McDonough and carried unanimously.

Ed Derickson requested that he would like to add another consideration to chapter 7, Community Facilities, on Pg. 105, item 9, instead of deleting the statement, "Institute a regular inspection program for septic systems and package treatment plants", that we include , "for aerobic and other packaged treatment plants to make sure they are not putting out raw sewerage".

Comments included- doesn't the Health Dept. cover this either under county or state? Not the job of the zoning board. We need to ferret out overlapping governmental jurisdictions. Changing the record now would require another discussion & re-vote. Jim Suhre asked if we were voting against any standards or just "regular" inspections? Ed then conceded that item #8 pg. 105 does cover his concern. Wayne Monroe then added that aeration systems have been outlawed. It was then noted that Pg.99 under "Plan Approach" and item 5 under "Community Facility Goals" also covers the issue.

Rick McMillin then made the motion that for reasons of consistency since we had recommended deleting item # 9 pg.105 regarding regular inspections, that we recommend amending pg. 99 item #5 under "Community Facility Goals" after the comma, place a period and delete "and through a regular inspection program". The motion was seconded by Scott McDonough. There was no further discussion , the motion passed 36 for and 3 opposed.

Chairman White then asked if there was any more discussion of Chapter 7 and there being none, asked Tom Carrow to proceed with Chapter 6. Summarizing his discussion, of which a copy is attached to these minutes, Tom suggested that the ADT (average daily traffic) counts are only relative and unless done several times per year are really not conclusive. Tom also described the LTAP (local technical assistance program) , this is a federal Highway Administration Program established to provide information to local governments for the improvement of their transportation systems. Without this LTAP program , traffic counts which could help the county make valid judgements of the roadways would be extremely expensive. Traffic signage that is mentioned in this chapter is already underway.

Tom also noted that on pg. 85, item # 4 under “Transportation Goals” is really unnecessary. Also on pg. 95 under “Transportation Policies” item 2 regarding a 60 foot right of way for newly constructed local streets seems excessive. Joe Gillespie responded to this stating that in town the streets were platted for 50 ft. and that this is actually too narrow for allowing parking on both sides of the street.

Hermine Niesz then read her summary of ch. 6 which is also attached to the minutes. She emphasized that we do have important information about our roads and highways regarding the areas most prone to accidents at the local sheriff’s office and at the EMS station, records that are available at no cost. That since the county has no funds to improve our roads that we at least find the most troublesome/unsafe ones and focus our efforts on safety improvements. She also stated that there has been growth and it continues and our roads cannot sustain it. There are maps and descriptions on pgs. 85-89 that identify the roads and their problems. The solutions recommended there-in require money. Therefore she suggests that we identify the most unsafe roads.

Chairman White then asked the group for this chapter if there was any consensus. The response was that they ran out of time but that each member had a “sticking point”. After more discussion Dave asked that perhaps we should recommend that the county suggest to the State that we have found these unsafe areas and that we need help in improving them.

Discussion ensued on specific thoughts of improving roads/streets, one was could we tear down some older buildings to create parking; a turn lane should be created at the 6th street intersection; that the most passionate debate at the time of the original CP was that of a by-pass for Brookville; that the state does look at our traffic problems because they would not allow a repair to a sewer under main street to be repaired on a Wednesday; under the "Transportation Goals" item # 1 does the government have the right to make the policy that you must give up your land for right-of-way dedication?; item # 5 pg.95 regarding strip development versus subdivision as the county won't accept any more roads; the fact that you can develop frontage without going thru a "process" but if a road must go to a subdivision then multiple processes must be gone through which discourages people from doing so, thus you have all the cuts etc. from frontage development which adds to the problem of safety on the roadway; if you have a private road and in the deed you specify each owner is responsible for their section of road, that was approved by Mac Meyer years ago; the admission that ANTI-GROWTH was the thought when the CP was written years ago directly related to pg. 95 in the Transportation chapter.

Jim Suhre pointed out that on page 82 the language is "right-of-way" and that in the proposed document the language has been changed to "apparent" right-of-way, which needs to be defined. Does this language come from the utility companies lobbying. We used to refer to the "center" of the road. Ken Konradi noted that land that is given for "right-of-way" is not taken off our taxes. Again, the Comprehensive Plan is a general guide, the zoning code must be specific! Joe Gillespie pointed out that we must remember that all our county roads originated as "trails". There is no defined "right of way". Franklin county has used "prescriptive" easement where-in when that property has been used for 20 years or more you acquire that property. When you split property you are now required to dedicate frontage for roads. According to state law, if the county has right-of-way then utilities are allowed to follow them. He further stated that Wayne county requires the property owner to have an "assignable" easement to the county for road maintenance and utilities cannot "piggy-back" on it. Joe suggested that if we choose to use this type easement we may need legal counsel regarding it.

Chairman White then called for a recommendation that we could give regarding this chapter on Transportation. The main items are; safety, congestion, use the available statistics such as the sheriff's reports and EMS; define the right-of-way, particularly in regard to farmers as to where utility lines are buried and intersections that get torn up from semi-trucks trying to negotiate the turns.

Jim Suhre made the motion that we recommend to the APC and commissioners to accept the chapter on Transportation as is but to use the EMS and sheriff's reports to identify the specific safety issues on our roadways, fix them and also to investigate the term "right-of-way". Gary Wolfe seconded the motion and it passed almost unanimously. A suggestion was made that the county have lines painted on the county roads, especially in the curves and hills. Also noted was the fact that the intersection described on pg. 92 of this chapter where US 52 splits off main street has now been fixed.

There was additional discussion regarding paragraph 2 ,pg.94 regarding better access to the southwestern part of the county to Batesville, Sunman & I74. via St. Mary's road. One suggestion was to extend SR 101 on from Brookville southwesterly.

Chairman White thanked all those citizens participating and that even though the process is slow, we are making progress towards our goal. Dave asked for comments from anyone, Jim Suhre asked Commissioner Don VonderMuelen to comment and he responded that we are making progress and that this is a difficult job and no matter what we come up with no all will agree.

Gary Wolfe then suggested that the town is having a big party in June and that it will take some of us out of the process. Rick MicMillin stated that we are almost done with the Comprehensive Plan and that in one more week we should have it. Rick then made the motion that we suspend meetings for the month of June and commence on July 3,2008. Tom Carrow seconded and the motion passed. On July 3 we will begin working on the Zoning codes !

The meeting was then adjourned at 9:05pm.

Respectfully submitted,

Margaret Fain, Secretary